

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

File No.: EB-04-BF-031

Beacon Broadcasting, Inc.  
Licensee of Station WANR  
Warren, Ohio

NAL/Acct. No.: 200432280002  
FRN: 0008369423

**FORFEITURE ORDER**

**Adopted:** November 15, 2004**Released:** November 17, 2004

By the Assistant Chief, Enforcement Bureau:

1. In this *Forfeiture Order* ("Order"), we issue a monetary forfeiture in the amount of seven thousand dollars (\$7,000) to Beacon Broadcasting, Inc. ("Beacon"), licensee of radio station WANR(AM), Warren, Ohio, for willful and repeated violation of Section 73.49 of the Commission's Rules ("Rules").<sup>1</sup> The noted violation involves Beacon's failure to enclose one of the station's two antenna towers within an effective locked fence.

2. On May 26, 2004, the Resident Agent of the Commission's Buffalo, New York Field Office ("Buffalo Office") issued a *Notice of Apparent Liability for Forfeiture* ("NAL") in the amount of \$7,000 to Beacon.<sup>2</sup> Beacon has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended ("Act"),<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules,<sup>4</sup> Beacon Broadcasting, Inc. **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$7,000 for willfully and repeatedly violating Section 73.49 of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within thirty (30) days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>5</sup> Payment by check or money order may be mailed to Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. Payment by overnight mail may be sent to Bank One/LB 73482, 525 West Monroe, 8th Floor Mailroom, Chicago, IL 60661. Payment by wire transfer may be made to ABA Number 071000013, receiving bank Bank One, and account number 1165259. The payment should note NAL/Acct. No. 200432280002, and FRN

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<sup>1</sup>47 C.F.R. 73.49.

<sup>2</sup>*Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200432280002 (Enf. Bur., Buffalo Office, released May 26, 2004).

<sup>3</sup>47 U.S.C. § 503(b).

<sup>4</sup>47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>5</sup>47 U.S.C. § 504(a).

8369423. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Beacon Broadcasting, Inc., 6578 Summers Road, Windsor, Ohio 44099.

**FEDERAL COMMUNICATIONS COMMISSION**

George R. Dillon  
Assistant Chief, Enforcement Bureau

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<sup>6</sup>See 47 C.F.R. § 1.1914.